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Letter dated 3 October 2005 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I wish to strongly protest the remarks made last Thursday, 29 September 2005, by President Yoweri Museveni of the Republic of Uganda, which received wide coverage in the international press and in which the President stated that the Ugandan army would cross the border with the Democratic Republic of the Congo if the Congolese Government and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) failed to disarm within two months the rebels of the Lord's Resistance Army (LRA), who have come from the Republic of the Sudan and installed themselves in the Garamba national park, situated in the eastern part of the Democratic Republic of the Congo.

These offensive, discourteous, unacceptable and threatening statements by the Ugandan President are a flagrant violation of the Charter of the United Nations, and in particular of Article 2 (4), which clearly states that "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations".

They are also an affront to the international community, represented on the ground by MONUC, whose noble mission is mainly to restore and maintain peace in the Democratic Republic of the Congo.

My Government wishes to reiterate once again that it harbours no hidden agenda against any of its neighbouring countries and that all foreign armed groups, of whatever kind, must withdraw from Congolese territory forthwith.

In accordance with this policy, as soon as it learnt of the undesirable presence of the Ugandan rebels of the Lord's Resistance Army (LRA), my Government had no hesitation whatsoever in giving them an ultimatum to leave the national territory immediately.

My Government considers that the presence of any uninvited armed group, whether a rebel group or a national army, is likely to prolong the unspeakable suffering of our populations, and in particular the Congolese population, which, with its four million dead, has borne the brunt by far of the futile and senseless conflicts that the region has been experiencing for more than a decade now.

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Informed observers agree that the Lord's Resistance Army (LRA) does not presently have the capability to harm the Government of Uganda and the haste with which the Ugandan President has threatened my country may therefore be explained both by his well-known failure for some 20 years now to resolve the problem of the Lord's Resistance Army on Ugandan soil and by the proximity of the 2006 elections in that country, in which he is once more a candidate after heavy-handedly amending the Constitution of his country.

In fact, in view of the proximity of the elections, the Ugandan President is seeking to prove to public opinion in his country that he is capable of putting a definitive end to the rebellion of the Lord's Resistance Army (LRA). In order to do so, he would not hesitate to launch an attack on the forces of the Lord's Resistance Army (LRA) on Congolese soil. To counter the criticism that was sure to follow, he would claim that his actions were a legitimate exercise of the right of pursuit, which is recognized neither by the United Nations nor by the African Union.

This attitude of the Ugandan President is based on his real or imagined belief that the armed forces of the Democratic Republic of the Congo are not battle-hardened and can operate only with logistical support from MONUC. This explains, moreover, the determination of the business sector in Uganda to continue to provide weapons to the armed groups in the district of Ituri so that they could continue to illegally exploit the natural resources and other forms of wealth of the region.

A number of the leaders of these armed groups are known. They are rebel officers whose appointments had been part of the effort to integrate the armed forces command, rebel officers appointed as part of the effort to integrate the armed groups in Ituri, and common warlords. They travel frequently to Uganda to seek the support of the authorities of that country for their efforts to destabilize the Democratic Republic of the Congo.

My Government wishes to remind the Security Council of all the concerns it has frequently expressed in its various resolutions and presidential statements concerning the proven support of Uganda for the militia who run amok in my country and, more particularly, in the district of Ituri, all of whom have a real capacity to disrupt the current transition process and to doom to failure the commendable and costly efforts of the international community to bring about a return to normality in my country and in the Great Lakes region.

Despite this, the Congolese Government has demonstrated sufficient commitment to disarm the rebels of the Lord's Resistance Army (LRA) so as not to expose itself to new pretexts for justifying the dangerous and negative interference of Uganda in the Democratic Republic of the Congo.

My Government is mindful of the terrible suffering of our populations, who aspire to the peace that will permit them to rebuild the relations of friendship, trust and peaceful coexistence which they once enjoyed. The Democratic Republic of the Congo is firmly committed to the peace process. It is in its own interest to do so as it is in the interest of the entire Great Lakes region.

However, faced with this new Ugandan threat to its international sovereignty, territorial integrity and political independence, which have been time and again reaffirmed by the international community, my country will have no other choice but to act within the framework of international legality, including by taking the relevant action authorized by the Charter of the United Nations, and in particular the

provisions of Article 51 concerning the inherent right of individual or collective self-defence in the event of an armed attack.

My Government, which has no doubt that the community of nations will play a constructive role in encouraging Uganda, through peaceful means or through appropriate sanctions, to commit itself more fully to the peace process aimed at restoring peace throughout the Great Lakes region and at creating the conditions under which our present and future generations can thrive and develop, requests the Security Council to:

1. Condemn Uganda, whose President's remarks constitute a threat to international peace and security under the relevant provisions of the Charter of the United Nations;

2. Impose a total embargo on the sale of arms to the Republic of Uganda;

3. Decree a targeted suspension of both bilateral and multilateral aid to Uganda while ensuring that the Ugandan population is not penalized but breaking the link between this aid and the continuation of this conflict, which is taking place against the backdrop of the continued illegal exploitation of the natural resources and other forms of wealth of the Democratic Republic of the Congo;

4. Adopt protective measures, including the freezing of assets and a ban on travel by senior Ugandan officials;

5. Demand that Uganda respect the various commitments freely entered into under the framework of existing mechanisms of the United Nations and of the Tripartite Mechanism under the mediation of the Government of the United States of America;

6. Also demand that Uganda refrain from any action likely to disrupt the peace process that is currently under way in the Great Lakes region.

My Government should be grateful if you would arrange for this letter to be circulated as a document of the Security Council.

(Signed) Ileka **Atoki**
Ambassador
Permanent Representative